

REMARKS

In the Office Action of June 11, 2009, claims 1-9 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. In addition, claims 1, 2 and 4 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by JP-04120900 (“Nonaka”). Furthermore, claims 3 and 5-9 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Nonaka or over Nonaka in view of U.S. Patent No. 2,716,462 (“Brennan ‘462”), U.S. Patent No. 4,668,588 (“Kishima”), U.S. Patent No. 2,408,038 (“Brennan ‘038”) and/or U.S. Patent No. 3,093,207 (“Bozak”).

With respect to Section 112, second paragraph, rejections, Applicants have amended 1, 6, 7 and 9 to overcome these rejections. As such, Applicants respectfully request that these Section 112 rejections be withdrawn.

With respect to the Section 102 and 103 rejections, Applicants have amended the independent claim 1 to more clearly distinguish the claimed invention from the cited references. In addition, claims 2 and 4 have been amended to correct informalities, and claims 3 and 11-19 have been canceled. As amended, Applicants respectfully assert that the independent claim 1 is not anticipated by the cited reference of Nonaka, as explained below. In view of the claim amendments and the following remarks, Applicants respectfully request the allowance of pending claims 1, 2 and 4-10.

A. Patentability of Amended Independent Claim 1

As amended, the independent claim 1 recites in part “*wherein different amounts of liquid plastic and/or different types of liquid plastic are applied to the central area and the creased area of the at least one surface of the membrane such that the central area is applied with a first amount of liquid plastic and/or a first type of liquid plastic and the creased area is applied with a second amount of liquid plastic and/or a second type of liquid plastic,*” which is not disclosed in the cited

reference of Nonaka. Thus, the amended independent claim 1 is not anticipated by Nonaka. As such, Applicants respectfully request that the amended independent claim 1 be allowed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Office Action on page 4 admits that “Nonaka does not teach varying the amounts of polymer deposited at different parts of the speaker diaphragm.” Consequently, the cited reference of Nonaka does not disclose “*wherein different amounts of liquid plastic and/or different types of liquid plastic are applied to the central area and the creased area of the at least one surface of the membrane such that the central area is applied with a first amount of liquid plastic and/or a first type of liquid plastic and the creased area is applied with a second amount of liquid plastic and/or a second type of liquid plastic,*” as recited in the amended independent claim 1. As such, Applicants respectfully assert that the amended independent claim 1 is not anticipated by Nonaka, and respectfully request that this independent claim be allowed.

Applicants note herein that Brennan ‘462, which was cited to reject the now-canceled dependent claim 3, also fails to teach the above-identified limitations of the amended independent claim 1. Thus, the amended independent claim 1 is also not obvious over Nonaka in view of Brennan ‘462.

B. Patentability of Dependent Claims 2 and 4-10

Each of the dependent claims 2 and 4-10 depends on the amended independent claim 1. As such, these dependent claims include all the limitations of the amended independent claim 1. Therefore, Applicants submit that these dependent claims are allowable for the same reasons as the amended independent claim 1. Furthermore, these dependent claims may be allowable for additional reasons.

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,
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